

1 Martha G. Bronitsky
2 Chapter 13 Standing Trustee
3 Po Box 5004
4 Hayward, CA 94540
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5 UNITED STATES BANKRUPTCY COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION

8 In re John D Flores Chapter 13 Case No. 13-46340-WJL13
9
10 debtor(s)
11 **Trustee's Motion and Declaration to**
12 **Dismiss Proceedings and Notice Thereon**
13

14 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:
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16 Martha G. Bronitsky, Chapter 13 Standing Trustee hereby moves the court for an Order
17 Dismissing these proceedings pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the
18 debtor(s) is in material default for the following reasons:

19 FAILURE TO ABIDE BY THE CONFIRMED PLAN, SECTION 5 PROVISION: 1. PURSUANT
20 TO THE COURT'S ORDER OF MAY 30, 2014 IN THIS CASE; DEBTOR WILL OBTAIN
21 APPROVAL OR DENIAL OF HIS REQUESTED LOAN MODIFICATION WITHIN 60
22 MONTHS OR SUBMIT A PLAN ADDRESSING THE ARREARS ON THE DEED OF TRUST
23 HELD BY RBS CITIZEN'S BANK.

24 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in
25 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and
26 served on the trustee no later than twenty-one (21) days from the date of service of this motion.
27 Trustee will then schedule a hearing date and notice debtor and the attorney of record of said
hearing date.

28 I declare under penalty of perjury that the foregoing is true and correct.

1 Date: September 25, 2015

/s/ Martha G. Bronitsky

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3 In re
John D Flores

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

4 debtor(s)

5 Chapter 13 Case No. 13-46340-WJL13

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9 CERTIFICATE OF SERVICE

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11 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
12 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the
13 registered agent for the creditor by depositing it in the United States mail with first class
14 postage attached thereto.

15 I declare under penalty of perjury under the laws of the State of California that the foregoing is
16 true and correct.

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19 John D Flores
20 652 Dunhill Dr
21 Danville, CA 94506

22 Geoffrey Wiggs Atty
23 1900 S Norfolk St #350
24 San Mateo, CA 94403

25 (Debtor(s))

26 (Counsel for Debtor)

27 Date: September 25, 2015

28 /s/ VIVALDA SILVEIRA

VIVALDA SILVEIRA